

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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EXALDO TOPACIO, on behalf of himself
and all others similarly situated,

Plaintiff,

-against-

VERIZON COMMUNICATIONS INC., a
corporation, and VERIZON NETWORK
INTEGRATION CORP., a corporation,

Defendants.

No. 07-CIV-8342 (CM)

JOINT MOTION TO STAY
PROCEEDINGS

Plaintiff and Defendants hereby move this Court to stay proceedings in this matter for a period of 90 days. In support of this Motion the parties state as follows:

1. On June 1, 2007, Plaintiff Exaldo Topacio filed this action in the Supreme Court of the State of New York, County of New York, under New York Labor Law Article 6, §§ 190 et seq., Article 19, §§ 650 et seq. and the supporting New York State Department of Labor regulations 12 N.Y.C.R.R. Part 142. Pursuant to Fed.R.Civ.P. 23, Plaintiff seeks to bring his state law claims on behalf of himself as well as on behalf of a purported class of allegedly similarly situated current and former network technicians and "all other employees in the state of New York with the primary duties of installing, maintaining, and/or supporting computer software and/or hardware for Verizon customers; providing technical support for Verizon customers; and maintaining Verizon customers; and maintaining Verizon customers' computer

network systems (collectively, "Network Technicians")" employed by Verizon Communications Inc. and/or Verizon Network Integration Corp.

2. On September 25, 2007, Defendants removed the case to this Court.

3. Since the filing of the Complaint, the parties, through their respective counsel, have agreed to explore the possibility of reaching an early resolution of this matter.

4. In light of these discussions, the interests of justice and judicial economy would be served by staying all proceedings for a period of 90 days, including the pretrial conference scheduled for November 16, 2007.

5. Neither party has previously requested a stay in this matter.

WHEREFORE, the parties respectfully request that this Court stay the proceedings in this matter for a period of 90 days, including the pre-trial conference scheduled for November 16, 2007.

Dated: November 7, 2007
New York, New York

Respectfully submitted,

s/ Adam T. Klein (with consent)

Adam T. Klein
Justin M. Swartz
Carmelyn P. Malalis
OUTTEN & GOLDEN LLP
3 Park Avenue, 29th Floor
New York, New York 10016
Telephone: 212-245-1000
Attorneys for Plaintiff
Exaldo Topacio

s/ Shari M. Goldsmith

Shari M. Goldsmith (SG-0909)
Kathleen L. McAchran (*pro hac vice* admission
to be filed)
JONES DAY
222 East 41st Street
New York, New York 10017-6702
Telephone: 212-326-3939
Facsimile: 212-755-7306

Stanley Weiner (*pro hac vice* admission to be
filed)

JONES DAY
North Point
901 Lakeside Avenue
Cleveland, Ohio 44114-1190
Telephone: 216-586-3939
Facsimile: 216-579-0212
Attorneys for Defendants
Verizon Communications Inc. and
Verizon Network Integration Corp.

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